

AN ORDINANCE AMENDMENT CHAPTER 26 OF THE
MUNICIPAL CODE OF THE CITY OF FORT WAYNE, INDIANA.

WHEREAS, Chapter 26 of the Municipal Code of the City
of Fort Wayne of the City of Fort Wayne, Indiana is in need
of amendment as follows:

SECTION 1. Section 26-11. SAME -- CERTIFICATION BY
REGISTERED LAND SURVEYOR.

Each plat submitted to the Commission for secondary
approval will carry a certificate signed by a land surveyor
registered in the state, in substantially the following
form:

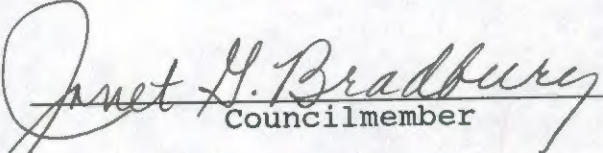
I, _____, hereby certify that I
am a Land Surveyor, licensed in compliance with the laws of
the State of Indiana; and that this plat correctly
represents a survey completed by me on (date); that all
markers shown thereof actually exist; and that their
location, size, type and material are accurately shown.

(SEAL) _____
(Signature)

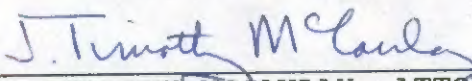
SECTION 2. Section 26-8 PRIMARY APPROVAL

(c) After the public hearing on the proposed plat, the
Commission shall make a decision as to whether to grant or
not to grant primary approval and shall enter written
findings that set forth its reasons for this decision. A
copy of these findings shall be sent to the applicant.
Primary approval shall be valid for two years from the date
of approval, and if during this two-year period the
developer does not submit a plat for secondary approval of
all or part of the area included in the plat receiving
primary approval, then the primary approval given by the
Commission shall lapse and be considered null and void.

SECTION 3. That this ordinance shall be in full force
and effect from and after its passage and any and all
necessary approval by the Mayor, and legal publication
thereof.


Councilmember

APPROVED AS TO FORM AND LEGALITY:


J. TIMOTHY MCCAULAY, ATTORNEY

Read the first time in full and on motion by Bradbury, seconded by Stier, and duly adopted, read the second time by title and referred to the Committee on Regulation (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Conference Room 128, City-County Building, Fort Wayne, Indiana, on _____, 19____, at _____ o'clock 4, M., E.S.T. of _____

DATE: 3-27-89

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Read the third time in full and on motion by Bradbury, seconded by Stier, and duly adopted, placed on its passage. ~~PASSED~~ LOST by the following vote:

	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAINED</u>	<u>ABSENT</u>	<u>TO-WIT</u>
<u>TOTAL VOTES</u>	<u>9</u>	_____	_____	_____	_____
<u>BRADBURY</u>	<u>✓</u>	_____	_____	_____	_____
<u>BURNS</u>	<u>✓</u>	_____	_____	_____	_____
<u>GIAQUINTA</u>	<u>✓</u>	_____	_____	_____	_____
<u>HENRY</u>	<u>✓</u>	_____	_____	_____	_____
<u>LONG</u>	<u>✓</u>	_____	_____	_____	_____
<u>REDD</u>	<u>✓</u>	_____	_____	_____	_____
<u>SCHMIDT</u>	<u>✓</u>	_____	_____	_____	_____
<u>STIER</u>	<u>✓</u>	_____	_____	_____	_____
<u>TALARICO</u>	<u>✓</u>	_____	_____	_____	_____

DATE: 4-11-89

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (ANNEXATION) (~~APPROPRIATION~~) (~~GENERAL~~) (~~SPECIAL~~) (~~ZONING MAP~~) ORDINANCE RESOLUTION NO. 9-08-89 on the 11th day of April, 1989,

ATTEST:
Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

SEAL
Charles S. Reed
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 12th day of April, 1989, at the hour of 1:30 o'clock P.M., E.S.T.

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this 19th day of April, 1989, at the hour of 4:45 o'clock P.M., E.S.T.

Paul Helmke
PAUL HELMKE, MAYOR

FACT SHEET

G-89-03-18

**Division of Community
Development & Planning**

BILL NUMBER

BRIEF TITLE**APPROVAL DEADLINE****REASON**

Subdivision Control Ordinance Amendment

DETAILS**Specific Location and/or Address**

N/A

Reason for Project

Amending Section 26-11 - Certification by
Registered Professional Civil Engineer
or Land Surveyor

Amending Section 26-8 - Primary Approval

Discussion (Including relationship to other Council actions)

20 March 1989 - Public Hearing

V.C. Seth, Director of Planning stated that amending Section 26-11 would reflect a change in the state statute. He stated at one time it was required a Professional Civil Engineer or a Land Surveyor sign a plat. He stated it now requires only a Registered Land Surveyor sign the plat.

He stated that the amendment to Section 26-8 - Primary Approval is an internal change. He stated that the Subdivision Control Ordinance presently requires that the President of the Commission sign the Findings of Fact set forth by the Commission for a primary approval of a plat. He stated that the staff, while not opposed to this stipulation, felt it would be more time savings to the have the conditions signed by the staff and forwarded to the developer.

John Shoaff stated that as the President of the Commission he would be inclined to accept this amendment.

Janet Bradbury stated that she felt by not requiring the President to sign the Findings

POSITIONS**RECOMMENDATIONS****Sponsor**

City Plan Commission

Area Affected

City Wide

Other Areas

**Applicants/
Proponents**

Applicant(s)

City Department

Other

Opponents

Groups or Individuals

Basis of Opposition

**Staff
Recommendation**☒ For ☐ Against

Reason Against

**Board or
Commission
Recommendation**

By

☒ For ☐ Against☐ No Action Taken☐ For with revisions to conditions
(See Details column for conditions)**CITY COUNCIL
ACTIONS
(For Council
use only)**☐ Pass☐ Other☐ Pass (as
amended)☐ Hold☐ Council Sub.☐ Do not pass

DETAILS

of Fact it would eliminate a "check" of the Findings. She questioned what the difficulty was in having the President sign them.

Mr. Seth stated that it was a matter of time. He stated that if the Commission approves a plat on a Monday night by the time the letter is composed sent to the President, returned to the Commission staff and then forwarded to the developer it has taken several days. They feel if the staff signs the letter it could be dealt with more quickly. He also pointed out that this is the primary approval and not the final approval of a plat that they would be signing the Findings of Fact for.

There was no one else present who wished to speak in favor of or in opposition to the proposed amendment.

27 March 1989 - Business Meeting

Motion was made and seconded to return the ordinance to the Common Council with a DO PASS recommendation.

Of the six (6) members present, five (5) voted in favor of the motion, one (1) did not vote. Motion carried.

POLICY/PROGRAM IMPACT

Policy or Program Change	<input type="checkbox"/> No <input type="checkbox"/> Yes
Operational Impact Assessment	

(This space for further discussion)

Project Start

Date 10 March 1989

Projected Completion or Occupancy

Date 28 March 1989

Fact Sheet Prepared by

Date 28 March 1989

Patricia Biancaniello

Reviewed by

Date April 3, 1989

Reference or Case Number

#385

ORIGINAL

ORIGINAL

DIGEST SHEET

TITLE OF ORDINANCE Subdivision Control Ordinance Amendment

DEPARTMENT REQUESTING ORDINANCE Land Use Management - C&ED

SYNOPSIS OF ORDINANCE Provides that the Plan Commission provides notice of their action on primary plats. Current provision is that notice must be signed by the President of the Plan Commission.

89-03-18

EFFECT OF PASSAGE Changes the provisions to allow for the finds to be sent without reference to who has to sign it.

EFFECT OF NON-PASSAGE Findings would still have to be signed by the President of the Plan Commission.

MONEY INVOLVED (Direct Costs, Expenditures, Savings)

(ASSIGN TO COMMITTEE (J.N.))

BILL NO. G-89-03-18

REPORT OF THE COMMITTEE ON REGULATIONS

JANET G. BRADBURY, CHAIRPERSON
DAVID C. LONG, VICE CHAIRMAN
STIER, SCHMIDT, TALARICO

WE, YOUR COMMITTEE ON REGULATIONS TO WHOM WAS

REFERRED AN (ORDINANCE) (~~RESOLUTION~~) AMENDMENT CHAPTER
26 OF THE MUNICIPAL CODE OF THE CITY OF FORT WAYNE, INDIANA

HAVE HAD SAID (ORDINANCE) (~~RESOLUTION~~) UNDER CONSIDERATION AND
BEG LEAVE TO REPORT BACK TO THE COMMON COUNCIL THAT SAID

(ORDINANCE) (~~RESOLUTION~~) _____

DO PASS

DO NOT PASS

ABSTAIN

NO REC

Janet H. Bradbury
David C. Long
Samuel J. Talarico

for all

DATED: *4-11-89.*

Sandra E. Kennedy
City Clerk

Proposed Amendment to the Subdivision Control Ordinance.

SECTION 26-11. SAME -- CERTIFICATION BY REGISTERED PROFESSIONAL
CIVIL-ENGINEER-OR-LAND SURVEYOR.

Each plat submitted to the Commission for secondary approval will carry a certificate signed by a ~~professional-civil-engineer~~ or land surveyor registered in the state, in substantially the following form:

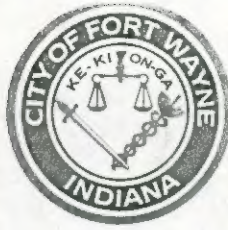
"I,, hereby certify that I am a ~~Professional-Civil-Engineer,--(or-Land Surveyor)~~, licensed in compliance with the laws of the State of Indiana; and that this plat correctly represents a survey completed by me on (date); that all markers shown thereon actually exist; and that their location, size, type and material are accurately shown.

(SEAL).....

(Signature)

SECTION 26-8 PRIMARY APPROVAL.

(c) After the public hearing on the proposed plat, the Commission shall make a decision as to whether to grant or not to grant primary approval and shall enter written findings that set forth its reasons for this decision, ~~which writings shall be signed by the president of the Plan Commission.~~ A copy of these findings shall be sent to the applicant. Primary approval shall be valid for two years from the date of approval, and if during this two-year period the developer does not submit a plat for secondary approval of all or part of the area included in the plat receiving primary approval, then the primary approval given by the Commission shall lapse and be considered null and void.



THE CITY OF FORT WAYNE

April 24, 1989

Ms. Cynthia Wilkins
Fort Wayne Newspapers, Inc.
600 West Main Street
Fort Wayne, IN 46802

Dear Ms. Wilkins:

Please give the attached full coverage on the dates of April 27 and May 4, 1989, in both the News Sentinel and Journal Gazette.

RE: Legal Notice for Common Council
of Fort Wayne, IN

Bill No. S-89-02-14 (as amended) (as amended)
(as amended)

Special Ordinance No. S-67-89
Truck Ordinance

Bill No. G-89-03-19
General Ordinance No. G-09-89
Amendment to Chapter 33

Bill No. G-89-03-18
General Ordinance No. G-08-89
Amendment to Chapter 26

Please send us 4 copies of the Publisher's Affidavit from both newspapers.

Thank you.

Sincerely yours,

Sandra E. Kennedy
Sandra E. Kennedy
City Clerk

SEK/ne
ENCL: 3

LEGAL NOTICE

Notice is hereby given that on the 11th day of
April, 19 89, the Common Council of the City
of Fort Wayne, Indiana, in a Regular Session did pass
the following Bill No. G-89-03-18 General
Ordinance No. G-08-89 to-wit:

Bill No. G-89-03-18

GENERAL ORDINANCE NO. G-08-89

AN ORDINANCE AMENDMENT CHAPTER 26 OF THE
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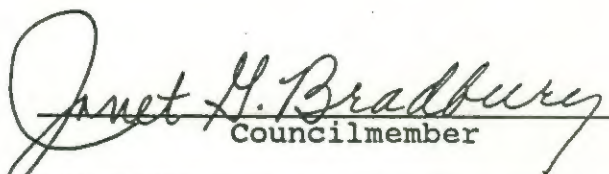
(SEAL) _____

(Signature)

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Commission shall lapse and be considered null and void.


SECTION 3. That this ordinance shall be in full force
and effect from and after its passage and any and all
necessary approval by the Mayor, and legal publication
thereof.


Councilmember

Read the third time in full and on motion by Bradbury,
seconded by Stier, and duly adopted. placed on file.

21 of approval, and if during this two-year period the
22 developer does not submit a plat for secondary approval of
23 all or part of the area included in the plat receiving
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25 and effect from and after its passage and any and all
26 necessary approval by the Mayor, and legal publication
27 thereof.

28
29 
30 Councilmember

Read the third time in full and on motion by Bradbury,
seconded by Stier, and duly adopted, placed on its passage.
PASSED by the following vote:

Ayes: Nine
Bradbury, Burns, GiaQuinta, Henry, Long,
Redd, Schmidt, Stier, Talarico
Nays: None
Abstained: None
Absent: None

DATED: 4-11-89

Sandra E. Kennedy
City Clerk

Passed and adopted by the Common Council of the City of
Fort Wayne, Indiana, as General Ordinance No. G-08-89 on the
11th day of April, 1989.

ATTEST: (SEAL)

Sandra E. Kennedy
City Clerk

Charles B. Redd
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne,
Indiana, on the 12th day of April, 1989, at the hour of
1:30 o'clock P.M., E.S.T.

Sandra E. Kennedy
City Clerk

Approved and signed by me this 19th day of April,
1989, at the hour of 4:45 o'clock P.M., E.S.T.

Paul Helmke
Mayor

I, The Clerk of the City of Fort Wayne, Indiana do hereby certify
that the above and foregoing is a full, true and complete copy of

General Ordinance No. G-08-89,
passed by the Common Council on the 11th day of
April, 1989, and that said Ordinance was
duly signed and approved by the Mayor on the 19th day of
April, 1989, and now remains on file and
on record in my office.

WITNESS my hand, and the official seal of the City of Fort Wayne,
Indiana, this 20th day of April, 1989.

SEAL


SANDRA E. KENNEDY, CITY CLERK

Fort Wayne Common Council

To: The Journal-Gazette Dr.

(Governmental Unit)

P.O. Box 100
Fort Wayne, INAllen County, Indiana

PUBLISHER'S CLAIM

LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of type in which the body of the advertisement is set)
-- number of equivalent lines

Head -- number of lines

Body -- number of lines

Tail -- number of lines

Total number of lines in notice

174277

COMPUTATION OF CHARGES

77 lines, 1 columns wide equals 77 equivalent lines
at .495 cents per line\$ 38.12Additional charge for notices containing rule or tabular work
(50 percent of above amount)2.00

Charge for extra proofs of publication (\$1.00 for each proof in excess of two)

TOTAL AMOUNT OF CLAIM

\$ 40.12

DATA FOR COMPUTING COST

Width of single column 12.5 ems
Number of insertions 2
Size of type 6 point

Pursuant to the provisions and penalties of Chapter 155, Acts 1953,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Larry ThompsonDate: May 4, 19 89Title: Clerk

PUBLISHER'S AFFIDAVIT

State of Indiana)

) ss:

Allen County)

Personally appeared before me, a notary public in and for said county and state, the undersigned Larry Thompson who, being duly sworn, says that he/she is Clerk of the The Journal-Gazette newspaper of general circulation printed and published in the English language in the (city) (town) of Fort Wayne, IN in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 2 time(s), the dates of publication being as follows:

4/27, 5/4/89Larry ThompsonSubscribed and sworn to before me this 4th day of May, 19 89.SHELLEY R. LARUE
Notary Public Whitley County, INMy commission expires: March 3, 1990

LEGAL NOTICE

Notice is hereby given that on the 11th day of April, 1989, the Common Council of the City of Fort Wayne, Indiana, in a Regular Session did pass the following Bill No. G-89-03-18 General Ordinance No. G-08-03-18 General Ordinance No. G-08-89 to-wit:

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WHEREAS, Chapter 26 of the Municipal Code of the City of Fort Wayne of the City of Fort Wayne, Indiana is in need of amendment as follows:

FANCY RINGS

\$3995

\$2495

\$795

SPARKLING DIAMOND TENNIS BRACELETS TOTAL WEIGHT

TENNIS BRACELETS

(Governmental Unit)

Allen

County, Indiana

To:

The News-Sentinel

Dr.

P.O. Box 100

Fort Wayne, IN

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1

74

2

77

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4/27, 5/4/89

Larry Thompson

4th

May

89

Subscribed and sworn to before me this day of 19

Shelley R. Larue

Notary Public Whitley County, IN
SHELLEY R. LARUE

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SHELLEY R. LARUE

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(SEAL)
(SIGNATURE)

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Ayes: Nine
Bradbury, Burns, GiaQuinta, Henry, Long, Redd, Schmidt, Stier, Talarico
Nays: None
Abstained: None
Absent: None
DATED: 4-11-89

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City Clerk

(SEAL)
Charles B. Redd
Presiding Officer

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Presiding Officer

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Approved and signed by me this 19th day of April, 1989, at the hour of 4:45 o'clock P.M., E.S.T.

Paul Helmke
Mayor

The Clerk of the City of Fort Wayne, Indiana do hereby certify that the above and foregoing is a full, true and complete copy of General Ordinance No.

PUBLISHER'S AFFIDAVIT

State of Indiana)

) ss:

Allen County)

Personally appeared before me, a notary public in and for said county and state, the undersigned Larry Thompson who, being duly sworn, says that he/she is Clerk of the The News-Sentinel newspaper of general circulation printed and published in the English language in the (city) (town) of Fort Wayne, IN in state and county aforesaid, and that the printed matter

attached hereto is a true copy, which was duly published in said paper for 2 time (s), the dates of publication being as follows:

4/27, 5/4/89

Larry Thompson

4th May 89

Subscribed and sworn to before me this _____ day of _____, 19 _____

Shelley R. Larue

Notary Public Whitley County, IN
SHELLEY R. LARUE

My commission expires: March 3, 1990